

In the Claims

Please amend Claims 1-11 and 31-34 as follows

1. (Twice amended) A recombinant [MVA] Modified Vaccinia Ankara (MVA) virus containing and capable of expressing at least one foreign gene inserted at a site of a naturally occurring deletion within the MVA genome, wherein the site of the naturally occurring deletion is not site III.
2. (Amended) A recombinant [MVA] Modified Vaccinia Ankara (MVA) virus according to Claim 1 containing and capable of expressing at least one foreign gene inserted at the site of deletion II within the MVA genome.
3. (Amended) A recombinant [MVA] Modified Vaccinia Ankara (MVA) virus according to Claim 1 wherein the foreign gene codes for a marker, a therapeutic agent or an antigenic determinant.
4. (Amended) A recombinant [MVA] Modified Vaccinia Ankara (MVA) virus according to Claim 3 wherein the foreign gene codes for an antigenic determinant from a pathogenic virus, a bacteria, [or] other microorganism, [or from] a parasite, [or] and a tumor cell.
5. (Amended) A recombinant [MVA] Modified Vaccinia Ankara (MVA) virus according to Claim 4 wherein the foreign gene codes for an antigenic determinant from Plasmodium Falciparum, Mycobacteria, Herpes virus, influenza virus, hepatitis, or human immunodeficiency viruses.
6. (Amended) A recombinant [MVA] Modified Vaccinia Ankara (MVA) virus according to Claim[s] 4 wherein the antigenic determinant is [HIV] Human Immunodeficiency Virus nef or human tryosinase tyrosinase.
7. (Amended) A recombinant MVA virus according to Claim 6 which is [MVA] Modified Vaccinia Ankara (MVA)-LAI_{nef} or MVA-[hTYR] human tyrosinase (hTYR).

8. (Amended) A recombinant [MVA] Modified Vaccinia Ankara (MVA) virus according to Claim 1 wherein the foreign gene codes for T7 RNA polymerase.
 9. (Amended) A recombinant [MVA] Modified Vaccinia Ankara (MVA) virus according to Claim 8 which is MVA-T7 pol.
 10. (Amended) A recombinant [MVA] Modified Vaccinia Ankara (MVA) virus according to Claim 1 wherein the foreign gene is under transcriptional control of the vaccinia virus early/late promoter P7.5.
 11. (Amended) Recombinant [MVA] Modified Vaccinia Ankara (MVA) viruses according to Claim 1 [essentially free from viruses being able to] wherein the viruses cannot replicate in human cells.
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- 12 31. (Amended) A recombinant [MVA] Modified Vaccinia Ankara (MVA) virus containing and capable of expressing an [HIV] Human Immunodeficiency Virus (HIV) nef gene inserted into the MVA genome.
 - 13 32. (Amended) The recombinant [MVA] Modified Vaccinia Ankara (MVA) virus according to Claim 31 which is MVA-LAInef.
 - 14 33. (Amended) A recombinant [MVA] Modified Vaccinia Ankara (MVA) virus containing and capable of expressing a human tyrosinase gene inserted into the MVA genome.
 - 15 34. (Amended) The recombinant [MVA] Modified Vaccinia Ankara (MVA) virus according to Claim 33 which is MVA-[hTYR] human tyrosinase (hTYR).
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Please add the following claims:

- 16 ---35. A recombinant Modified Vaccinia Ankara (MVA) virus containing and capable of expressing at least one foreign gene inserted at a site of a naturally occurring deletion

within the MVA genome, wherein the site of the naturally occurring deletion is selected from the group consisting of: site I, site II, site IV, site V and site VI.

- ¹⁷
^{36.} The recombinant Modified Vaccinia Ankara (MVA) virus according to Claim ³⁵₃₅ wherein the foreign gene codes for a marker, a therapeutic agent or an antigenic determinant.
- ¹⁸
^{37.} The recombinant Modified Vaccinia Ankara (MVA) virus according to Claim ³⁶₃₆ wherein the foreign gene codes for an antigenic determinant from a pathogenic virus, a bacteria, other microorganism, a parasite, and a tumor cell.
- ¹⁹
^{38.} The recombinant Modified Vaccinia Ankara (MVA) virus according to Claim ³⁷₃₇ wherein the foreign gene codes for an antigenic determinant from Plasmodium Falciparum, Mycobacteria, Herpes virus, influenza virus, hepatitis, or human immunodeficiency viruses.
- ²⁰
^{39.} The recombinant Modified Vaccinia Ankara (MVA) virus according to Claims ³⁷₃₇ wherein the antigenic determinant is Human Immunodeficiency Virus nef or human tyrosinase.
- ²¹
^{40.} The recombinant MVA virus according to Claim ³⁹₃₉ which is Modified Vaccinia Ankara (MVA)-LAI_{nef} or MVA-human tyrosinase (hTYR).
- ²²
^{41.} The recombinant Modified Vaccinia Ankara (MVA) virus according to Claim ³⁵₃₅ wherein the foreign gene codes for T7 RNA polymerase.
- ²³
^{42.} A recombinant Modified Vaccinia Ankara (MVA) virus according to Claim ⁴¹₄₁ which is MVA-T7 pol.
- ²⁴
^{43.} The recombinant Modified Vaccinia Ankara (MVA) virus according to Claim ³⁵₃₅ wherein the foreign gene is under transcriptional control of the vaccinia virus early/late promoter P7.5.

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- ²⁵
44. A recombinant Modified Vaccinia Ankara (MVA) virus containing and capable of expressing at least one foreign gene inserted at deletion site II of the MVA virus.
- ²⁶
45. The recombinant Modified Vaccinia Ankara (MVA) virus according to Claim ²⁵₄₄ wherein the foreign gene codes for a marker, a therapeutic agent or an antigenic determinant.
- ²⁷
46. The recombinant Modified Vaccinia Ankara (MVA) virus according to Claim ²⁶₄₅ wherein the foreign gene codes for an antigenic determinant from a pathogenic virus, a bacteria, other microorganism, a parasite, and a tumor cell.
- ²⁸
47. The recombinant Modified Vaccinia Ankara (MVA) virus according to Claim ²⁷₄₆ wherein the foreign gene codes for an antigenic determinant from Plasmodium Falciparum, Mycobacteria, Herpes virus, influenza virus, hepatitis, or human immunodeficiency viruses.
- ²⁹
48. The recombinant Modified Vaccinia Ankara (MVA) virus according to Claims ²⁷₄₆ wherein the antigenic determinant is Human Immunodeficiency Virus nef or human tyrosinase.
- ³⁰
49. The recombinant MVA virus according to Claim ²⁹₄₈ which is Modified Vaccinia Ankara (MVA)-LAI_{nef} or MVA-human tyrosinase (hTYR).
- ³¹
50. The recombinant Modified Vaccinia Ankara (MVA) virus according to Claim ²⁵₄₄ wherein the foreign gene codes for T7 RNA polymerase.
- ³²
51. A recombinant Modified Vaccinia Ankara (MVA) virus according to Claim ³¹₅₀ which is MVA-T7 pol.
- ³³
52. The recombinant Modified Vaccinia Ankara (MVA) virus according to Claim ²⁵₄₄ wherein the foreign gene is under transcriptional control of the vaccinia virus early/late promoter P7.5.---